

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 9937 OF 2013
WITH CA/15462/2013 IN WP/9937/2013

M.B. PATIL CONSTRUCTION LTD.
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. A.N. Aute, Advocate h/f. Mr. S.B. Talekar
AGP for Respondents: Mr. S.B. Pulkundwar.
Advocate for respondent No.7 : Mr. N.T. Tribhuvan.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 17th JUNE , 2016.

PER COURT:

1] We have heard Mr. Aute for the petitioner and Mr. Tribhuvan, Advocate for the respondent.

2] The dispute is with regard to the acceptance of tender of respondent Nos. 6 and 7 beyond 5.30 p.m. According to petitioner, tenders of respondent Nos. 6 and 7 were accepted beyond 5.30 p.m. on the last day. As such, the tender given to such persons could not have been considered. An illegality has been committed. Even the affidavit of respondent Nos. 3 to 5 would substantiate the contention of the petitioner.

3] Mr. Tribhuvan, learned counsel for the respondent No.7 states that the petitioner, at the relevant time, had not raised any objection with regard to the tender of respondent No.7 and objection was limited to the tender of respondent No.6. Tender of respondent No.7 was validly accepted as per the rules.

4] Learned AGP submits that the tender was validly accepted.

5] We need not go into the said aspect of the matter. tender was for a period of one year. Same was issued in the year 2013. The period of

tender has come to an end in the year 2014.

6] In the light of above, even if the contentions of the petitioner would have been accepted, no relief could have been granted to the petitioner. Writ petition as such is disposed of. No costs. In view of disposal of the writ petition, civil application also stands disposed of.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-